IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 16 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE K.A.PUJ

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

DHIRAJLAL MANEKCHAND VAIDYA

Versus

HASMUKHRAI SHANTILAL GANDHI

Appearance:

1. Civil Revision Application No. 16 of 2002

MR DC SEJPAL for Petitioner No. 1

..... for Respondent No. 1

CORAM : MR.JUSTICE K.A.PUJ

Date of decision: 23/10/2002

ORAL JUDGEMENT

The present Civil Revision Application is filed against the order passed by the learned Civil Judge (SD),

Lathi on 28.12.2001 below Application Exh.152 in Regular Civil Suit No. 23 of 1992 whereby the application moved by the present plaintiff for production of documents was rejected.

2. The order impugned in this Civil Revision Application is an interim order and the suit is still pending before the trial Court. This Civil Revision Application is not maintainable in view of the amendment made in Section 115 of the Code of Civil Procedure. The Civil Revision Application is, therefore, rejected.

3. However, it is open for the petitioner to challenge the impugned order before this Court in Special Civil Application under Article 226/227 of the Constitution of India. Rule is discharged with no order as to costs.

(K.A. Puj, J.)

Sreeram.